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TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A PRIOR PATENT

Docket Number (Optional)

17791-01

pilication No.: 10/649,125 led: August 27, 2003 The owner*, Owens-Illinois Closure Inc., of	REJECTION OVER A PRIOR PATE	INI	
led: August 27, 2003 or: Fluid Dispensing Closure, Package and Method of Manufacture The owner*, Owens-Illinois Closure Inc., of 100 percent interest in the instant application herel isclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application date of the full statutory term defined in 35 U.S.C. 154 and 173, as present hortened by any terminal disclaimer, of prior Patent No. 6,672,487 The owner hereby agrees that any pate or granted on the instant application shall be enforceable only for and during such period that it and the prior patent a successors or assigns. In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the intropert of the full statutory term as defined in 35 U.S.C. 154 and 173 of the intropert of the full statutory term as defined in 35 U.S.C. 154 and 173 of the intropert of the full statutory term as defined in 35 U.S.C. 154 and 173 of the intropert of the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the intropert of the statutory should be intropert of the expiration of its full statutory term as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay similar the prior patent, as a statutorially disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination, is statutorially disclaimed on the expiration of its full statutory term as presently shortened by any terminal scalaimer. In part of the organization of its full statutory term as presently shortened by any terminal scalaimer. In hereby declare that all statements made herein of my own knowledge are true and that all statements made of formation and belief are believed to be true; and further that these statements were made with the knowledge that will be statements and the like so made are punishable by fine or impri	In re Application of: Richard D. Lohrman		
The owner*, Owens-Illinois Closure, Package and Method of Manufacture The owner*, Owens-Illinois Closure Inc., of 100 percent interest in the instant application herel isclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application hinch would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as present hortened by any terminal disclaimer, of prior Patent No. 6,672,487	Application No.: 10/649,125		
The owner*, Owens-Illinois Closure Inc., of 100 percent interest in the instant application herel isclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application hich would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as present hortened by any terminal disclaimer, of prior Patent No. 6,672,487	Filed: August 27, 2003		
isclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application hortened by any terminal disclaimer, of prior Patent No. 6.672.487	For: Fluid Dispensing Closure, Package and Method of Manufacture		
polication that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the firing patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay an intenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed hole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminisclaimer. The extended the expiration of its full statutory term as presently shortened by any terminisclaimer. The extended the expiration of its full statutory term as presently shortened by any terminisclaimer. The extended the expiration of its full statutory term as presently shortened by any terminisclaimer. The extended the expiration of its full statutory term as presently shortened by any terminisclaimer. The undersigned is empowered to act on behalf of the organization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made of formation and belief are believed to be true; and further that these statements were made with the knowledge that will fill sea statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 or United States Code and that such willful false statements may jeopardize the validity of the application or any pater such thereon. PRAHA1 00000083 10649125 Robert C. Collins Typed or printed name (248) 689-3500 Telephone Number	disclaims, except as provided below, the terminal part of the statu which would extend beyond the expiration date of the full statut shortened by any terminal disclaimer, of prior Patent No. 6,672,4 so granted on the instant application shall be enforceable only f	utory term of any patent granted tory term defined in 35 U.S.C. 87	on the instant application, 154 and 173, as presently by agrees that any patent it and the prior patent are
For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made of formation and belief are believed to be true; and further that these statements were made with the knowledge that willfulse statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of e United States Code and that such willful false statements may jeopardize the validity of the application or any pater sued thereon. The undersigned is an attorney or agent of record. Robert C. Collins Typed or printed name (248) 689-3500 Telephone Number	application that would extend to the expiration date of the full s prior patent, as presently shortened by any terminal disclaims maintenance fee, is held unenforceable, is found invalid by a c whole or terminally disclaimed under 37 CFR 1.321, has all clair	statutory term as defined in 35 er, in the event that it later: e court of competent jurisdiction, ms canceled by a reexamination	U.S.C. 154 and 173 of the expires for failure to pay a is statutorily disclaimed in n certificate, is reissued, or
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formation and belief are believed to be true; and further that these statements were made with the knowledge that willfulse statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 de United States Code and that such willful false statements may jeopardize the validity of the application or any pater study thereon. The undersigned is an attorney or agent of record. BRAHA1 00000083 10649125 110.00 DA Robert C. Collins Typed or printed name (248) 689-3500 Telephone Number			government agency,
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## BRAHA1 00000083 10649125 ## Robert C. Collins Typed or printed name (248) 689-3500	2. The undersigned is an attorney or agent of record.		4/19/04
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(248) 689-3500 Telephone Number	BABRAHA1 00000083 10649125	Robert C. C	ollins
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Terminal disclaimer fee under 37 CFR 1 20(d) included To be charged to Acct No. 15-0875 (Owons-			
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This collection of information is required by 37 CFR 1.321. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).

Form PTO/SB/96 may be used for making this certification. See MPEP § 324.

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